

**REMARKS**

Claims 2-12, 15-25, 27, and 29 are pending, with claims 2, 15, and 29 being independent. Applicants have amended claims 2, 3, 4, 6, 7, 11, 15, 16, 17, 19, 20, 24, 25, and 29, and have canceled claims 13 and 26, without prejudice. New claims 30-33 have been added. No new matter has been introduced. Applicants respectfully submit that all pending claims are in condition for allowance for at least the following reasons.

**Claim Rejections Under 35 U.S.C. 112**

The Examiner has rejected claims 2, 15, and 29 under 35 U.S.C. 112. Applicants respectfully submit that these rejections have been addressed and/or are rendered moot by the present amendments. Therefore, applicants respectfully request reconsideration and withdrawal of the rejections.

**Claim Rejections Under 35 U.S.C. 103**

The Examiner has rejected claims 2-13, 15-27, and 29 as obvious over U.S. Patent No. 7,062,466 to Wagner et al. (“Wagner”) in view of the Internet Archives print out of the Yahoo! Classifieds webpage from January 26, 2004 (“Yahoo”). Applicants respectfully traverse these rejections.

First, since claims 13 and 26 have been canceled, this ground of rejection is rendered moot with respect to these claims. Each of currently pending independent claims 2, 15, and 29, are presently amended. Applicants respectfully submit that claims 2, 15, and 29, as amended, (and any claims depending therefrom) are in condition for allowance for at least the reasons discussed below.

Claim 2, as amended, is reproduced below:

Claim 2. A system for providing on-line advertising, comprising:

*an advertisement interface for defining the appearance and content of a first advertisement using user advertisement inputs;*

*an advertising creative interface for defining the appearance and content of an advertising creative using user advertising creative inputs, the advertising creative including a hyperlink reference to a web page of the first advertisement;*

advertisement storage for storing advertisements and advertising creatives defined using the advertisement interface, wherein stored advertisements of the advertisement storage include the first advertisement;

an indexer to identify one or more stored advertisements relevant to a query, wherein the identified stored advertisements include a description of at least one item;

a scorer to score the stored advertisements based on a measure of match between the query and the description of the identified stored advertisements; and a targeting component to provide the advertising creative associated with the first advertisement as Web-based content on one or more targeted Web pages.

Applicants respectfully submit that the cited combination fails to include at least the elements highlighted above in bold italics. The cited hypothetical combination arrived at by the

Examiner fails to disclose a system including *both* an advertisement interface and an advertising creative interface.

The present amendment is supported at least by Figs. 3B, 3C, and their corresponding description in the specification in that Fig. 3B shows an advertisement interface, and Fig. 3C shows an advertising creative interface.

Therefore, for at least the reasons noted above, Applicants respectfully submit that claim 2 is allowable over Wagner in combination with Yahoo, and request that the rejections of claim 2 and all claims depending therefrom be withdrawn.

Claim 15, as amended, is reproduced below:

Claim 15. A method for providing on-line advertising, comprising:

*generating appearance and content for a first advertisement through an advertising interface using user advertisement inputs, the first advertisement being accessible at an advertisement web page;*

*generating appearance and content for an advertising creative through the advertising interface using user advertising creative inputs, the advertising creative including a hyperlink reference to the advertisement web page;*

identifying one or more stored advertisements relevant to a query, wherein the identified stored advertisements include a description of at least one item, wherein the stored advertisements include the first advertisement;

scoring the stored advertisements based on a measure of match between the query and the description of the identified stored advertisements; and

providing the advertising creative associated with the first advertisement as Web-based content on one or more targeted Web pages.

Applicants respectfully submit that the cited combination fails to include at least the elements highlighted above in bold italics. The cited hypothetical combination arrived at by the Examiner fails to disclose *both* generating appearance and content for an advertisement through an advertisement interface and generating appearance and content for an advertising creative through an advertising creative interface.

The present amendment is supported at least by Figs. 3B, 3C, and their corresponding description in the specification in that Fig. 3B shows an advertisement interface, and Fig. 3C shows an advertising creative interface.

Therefore, for at least the reasons noted above, Applicants respectfully submit that claim 15 is allowable over Wagner in combination with Yahoo, and request that the rejection of claim 15 and all claims depending therefrom be withdrawn.

Claim 29, as amended, is reproduced below:

Claim 29. An apparatus for providing on-line advertising, comprising:

*means for defining appearance and content for a first advertisement using user advertisement inputs, the first advertisement being accessible at an advertisement web page;*

*means for defining the appearance and content of an advertising creative using user advertising creative inputs, the advertising creative including a hyperlink reference to the advertisement web page;*

means for identifying one or more stored advertisements relevant to a query, wherein the identified stored advertisements include a description of at least one item, wherein the stored advertisements include the first advertisement;

means for scoring the stored advertisements based on a measure of match between the query and the descriptions of the identified advertisements; and

means for providing the advertising creative associated with the first advertisement as Web-based content on one or more targeted Web pages.

Applicants respectfully submit that the cited combination fails to include at least the elements highlighted above in bold italics. The cited hypothetical combination arrived at by the Examiner fails to disclose *both* means for defining appearance and content for a first advertisement and means for defining appearance and content for an advertising creative.

The present amendment is supported at least by Figs. 3B, 3C, and their corresponding description in the specification in that Fig. 3B shows an advertisement interface, and Fig. 3C shows an advertising creative interface.

Therefore, for at least the reasons noted above, Applicants respectfully submit that claim 29 is allowable over Wagner in combination with Yahoo, and request that the rejection of claim 29 be withdrawn.

New Claims

Applicants have added new claims 30-33. These claims depend from claim 2 and are allowable for the reasons described above with respect to claim 2. Furthermore, these claims include features related to the presentation of simulated advertisement content and advertising creative content to users. Applicants respectfully submit that no combination of the art of record includes the elements of new claims 30-33, and request that a notice of allowance for these claims be issued.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 8/13/2008

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

J. Perry Herndon  
J. Perry Herndon  
Reg. No. 54,706

40509474.doc